

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Robert Patrick METHENY

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 04, 2019 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

Code Section

8 USC 1324

Offense Description

Knowing and in reckless disregard of the fact that an alien had come to, entered, and remained in the United States in violation of law, did transport and move and attempted to transport and move and conspired to transport and move such alien within the United States by means of transportation and otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on Affidavit

☒ Continued on the attached sheet./S/Jose A. Martinez*Complainant's signature*Jose A. MartinezBorder Patrol Agent*Printed name and title*

Sworn to before me and signed in my presence,

Date: October 07, 2019*Judge's signature*City and state: Laredo, TexasSam SheldonU.S. Magistrate Judge*Printed name and title*

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Robert Patrick METHENY

Case Number:

1. On October 4, 2019, at approximately 3:55 p.m., a Border Patrol Agent (BPA) was working roving patrol duties north of the Zapata/Webb county line on Highway 83 near Laredo, Texas in Webb County. A BPA observed a black Infiniti QX80 travel northbound on Highway 83. BPA noticed the male driver stiffen at the sight of his marked Border Patrol Unit as well as grip the steering wheel at the twelve o'clock position and lean appearing to conceal his face with his shoulder. BPA noticed the front and back passengers remained rigid and stiffened at the sight of his marked Border Patrol Unit. BPA began to follow the vehicle and requested a registration check revealing vehicle was registered out of Tulsa, Oklahoma. As BPA followed the vehicle, BPA noticed the vehicle slowed down for no reason other than the presence of his marked Border Patrol Unit as well as the driver continuously looking in his rear and side view mirrors at his presence. BPA then paralleled the vehicle and noticed the driver did not make head or eye movement. The front passenger was now asleep and the back passengers sat up right in a stiff rigid position. BPA also noticed the rear of the vehicle appeared heavy laden. BPA performed a vehicle stop near the Becerra Creek and Highway 83. As the BPA approached the vehicle, he noticed two subjects laying down in the rear of the vehicle and the rest of the passengers remained stiff and appeared nervous. Immigration inspections on the occupants of the vehicle revealed the driver identified as Robert Patrick METHENY as a United States Citizen and the 5 passengers were citizens of Mexico and Honduras with no legal right to be in the United States.

2. Robert Patrick METHENY, a U.S. Citizen was read his Miranda Rights and provided a sworn statement. METHENY admitted that his purpose to travel to Laredo, Texas was to drop off five illegal aliens. METHENY stated he was to be paid \$300.00 per illegal alien for a total of \$1,500.00 once he dropped off the illegal aliens in Laredo, Texas. METHENY stated that his friend offered him the job. METHENY stated he picked up two of the illegal aliens at a gas station in Escobares, Texas and told them to get in the back seat and sit down. METHENY stated he picked up the other three illegal aliens at a gas station in Roma, Texas and told the female to sit in the front seat while the others laid down in the cargo area.

3. Material Witness, David CRUZ-Cruz a citizen of Mexico stated he made arrangements to be smuggled into the United States and was to pay \$7,000.00. CRUZ-Cruz intended destination was Tyler, Texas. CRUZ-Cruz stated he crossed the river and was told by the guides to hide in the brush and that a vehicle would honk and pick them up. CRUZ-Cruz stated a vehicle picked him up and took him to a small wooden house. CRUZ-Cruz stated he was then told to get into a black SUV and there was two people in the SUV including the driver. CRUZ-Cruz stated the driver made hand gestures to get on. CRUZ-Cruz stated the driver knew he was an undocumented alien since they then picked up two more people at an apartment and were told to lay down in the back. CRUZ-Cruz was presented with a six person photo line-up and positively identified Robert Patrick METHENY as the driver.

4. Material Witness, Isabel BUSTAMANTE-Sebastian a citizen of Mexico stated that her brother made arrangements for her to be smuggled into the United States and was to pay \$7,000.00. BUSTAMANTE-Sebastian intended destination was North Carolina. BUSTAMANTE-Sebastian stated after crossing the river they were picked up by a red SUV and taken to some apartments. BUSTAMANTE-Sebastian stated she was then picked up and instructed to sit in the front seat. BUSTAMANTE-Sebastian stated she was falling asleep as she heard sirens. BUSTAMANTE-Sebastian stated the driver knew they were undocumented aliens since he never talked to them and two people were laying in the back. BUSTAMANTE-Sebastian was presented with a six person photo line-up and positively identified Robert Patrick METHENY as the driver.

SUBSCRIBED and SWORN to before me on

7th day of October, 2019

Signature of Judicial Officer

/S/ Martinez, Jose A. Border Patrol Agent

Signature of Complainant